IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 13245 of 2007(B)

PETITIONER:

JOSEPH PAUL, AGED 72 YEARS,
S/O.LATE A.M.PAUL, RESIDING AT
ARAMBANKUDIYIL HOUSE,
NJAYAPPILLY P.O., KOTHAMANGALAM.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS:

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1. REGISTRAR OF CO-OPERATIVE SOCIETIES, TRIVANDRUM.

2. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), ERNAKULAM.

3. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), KOTHAMANGALAM.

4. THE KOTHAMANGALAM CO-OPERATIVE MARKETING SOCIETY LTD. NO.E.137, KOTHAMANGALAM, REP. BY ITS PRESIDENT.

5. JOSE ANTONY, THEKKILAKKAD, PERUMANNOOR.

6. A.K.VARKEY, ATTANCHERIL, VARAPPETTY P.O.

7. SAJU K. SCARIA, KAKKUZHIYIL, KOTHAMANGALAM.

8. O.V.DEVASSY, OLIYAPPURAM, RAMALLUR P.O., KOTHAMANGALAM.

9. M.R.NEELAKANDAN KARTHA, MANAYATH BHAVAN, KUTTILANJI, ERAMALLUR P.O., KOTHAMANGALAM.

10. V.DIVAKARAN, KRISHNA VILASAM, VARAPPETTY P.O.

11. A.M.VARGHESE, EDAPPARA,
MANIKKINAR, NELLIMATTAM,
KOTHAMANGALAM P.O.

12. C.K.VIDYASAGAR, CHERUPALLIYIL,
KUTHUKUZHI,
KOTAHAMANGALAM P.O.

13. C.V.THOMAS, KOTTISSERIKUDI,
CHELAD P.O., KOTHAMANGALAM.

R1 TO 3 BY SR.G.P. SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.13245 of 2007

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Dated this the 13th day of April, 2007.

JUDGMENT

Since statutory appeal is provided against Ext.P7 order under Section 83(1)(e) of the Co-operative Societies Act, it is for the petitioner to file appeal. However, in view of the inordinate delay in passing Ext.P7 and in view of the findings in the earlier enquiry proceedings initiated under Section 65 against the managing committee members of the society, I direct the respondents not to recover the amount until disposal of appeal by the Government, if filed within three weeks from today. There will be direction to the Government to dispose of the appeal within three months from the date of filing the same.

The W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms